

39  
COPY

## WAIVER OF SERVICE OF SUMMONS

TO: Brett T. Culver  
 (Name of plaintiff's attorney or pro se plaintiff)

I acknowledge receipt of your request that I waive service of a summons in the action of Culver VS

Miknich, et al  
 which is case number CV-01-904 in the United States District Court for the Middle District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for the objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 12-31-01 (date request was sent), or within 90 days after that date if the request was sent outside the United States.

Jan. 11, 2002  
 Date

Maryanne M. Lewis  
 Signature

Printed/typed name:

MARYANNE M. LEWIS

Title if any:

Deputy Attorney General

Address of person signing:

Office of Attorney General  
 15th Fl., Strawberry Sq.  
 Harrisburg, PA 17120

Representing defendant(s) if any:

Horn, Beard, ~~Dotter~~, Miknich, Shannon,  
 Chismar, Mooney, ~~Jab~~ FILED  
SCRANTON  
JAN 17 2002

PER [Signature]  
 DEPUTY CLERK

